

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JANUARY 20, 2009

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ Consent ☒ Discussion**SUBJECT:**

Bill No. 2009-2 – Amends the special use permit standards applicable to secondhand dealers in the Town Center District to allow the sale of personal computers, laptop computers, and other similar computer devices on a non-consignment basis. Sponsored by: Councilman Steven D. Ross

Fiscal Impact☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

Secondhand dealers are permitted by means of special use permit under the current version of the Town Center Development Standards, but the “secondhand” operation is limited to consignment sales. This bill will adjust that limitation to allow a secondhand dealer use to sell personal computers, laptop computers, and other similar computer devices on a non-consignment basis.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2009-2

Motion made by DAVID W. STEINMAN to Approve as DO PASS

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, DAVID W. STEINMAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MARGO WHEELER, Director of the Planning and Development, stated that this bill would allow the sale of secondhand personal computers, laptops and other electronic devices in the Town Center District with a Special Use Permit. She explained that those items were not currently permitted to be sold by secondhand dealers in the Town Center District.

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CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that when a matter has been heard before the Planning Commission and then comes before the City Council, the former Planning Commissioner usually abstains on the matter. He explained that the abstention is based on principles of administrative law where an appellant is entitled to a hearing before an impartial decision-maker. He pointed out those hearings are separate from legislative matters, which did not need to preserve impartiality. He informed COUNCILMAN STEINMAN that he was permitted to vote on these matters.

